



17607 U.S.PTO
020304

EXPRESS MAIL LABEL
ER 206761005

February 3, 2004

22141 U.S.PTO
10/772075
020304

Mail Stop Patent Application
The Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing is the patent application of **BARNEY R. FULLER, SR.**, titled: **EXERCISE MACHINE FOR CONDITIONING ATHLETES**, together with **FOUR (4) SHEETS OF DRAWINGS, DECLARATION AND POWER OF ATTORNEY**, and a **NON-PUBLICATION Request and Certification** under 35 U.S.C. 122(b)(2)(B)(I).

APPLICANT CLAIMS SMALL ENTITY STATUS.

The filing fee has been calculated as shown below:

Basic Fee SMALL ENTITY.....	\$385.00
Total claims 7 - 20 = 0 x \$9.00 =.....	\$ 00.00
No. of independent claims 1 - 3 = 0 x \$43.00 =..	<u>\$ 00.00</u>
TOTAL FILING FEE \$385.00	

A check in the sum of \$385.00 is attached to cover the filing fee as per the above schedule.

Respectfully submitted,

Kenneth A. Roddy
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Encls

CERTIFICATE OF MAILING - EXPRESS MAIL

I hereby certify that this correspondence is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 CFR 1.10, postage prepaid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

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**NONPUBLICATION REQUEST
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	BARNEY R. FULLER, SR.
Title	EXERCISE MACHINE FOR CONDITIONING ATHLETES
Attorney Docket Number	

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Feb. 3, 2004

Date

Kenneth A. Roddy

Signature

(713) 686-7676

Telephone number

Kenneth A. Roddy
Agent for Applicant

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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